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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT**

Atty. Docket No.
CROSS1290-1

Applicant

Keith M. Arroyo

Application Number

10/002,995

Date Filed

11/30/01

Title

**Streaming Method and System for Fibre
Channel Network Devices**

Group Art Unit

2153

Examiner

**Edelman, Bradley
E.**

Confirmation Number:

4032

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Technology Center 2100

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

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Certificate of Mailing Under 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450 on January 14, 2004.

Katherin Cope

Signature

Katherin Cope

Printed Name

Crossroads Systems, Inc., the owner of one hundred percent (100%) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to 156 and 173 of U.S. Patent No. 6,341,315. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a

maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.


Check box 1, 2, 3, or 4 as appropriate.

1. ☐ For submission on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

* Statement under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

2. ☒ The undersigned is an attorney or agent of record.
3. ☒ Terminal disclaimer fee under 37 C.F.R. 1.20(d) included.
4. ☐ Terminal disclaimer fee under 37 C.F.R. 1.20(d). The Asst. Commissioner is hereby authorized to deduct \$55.00 representing the above-noted filing fee from Deposit Account. No. 50-0456 of Gray Cary Ware & Freidenrich LLP. The Asst. Commissioner is hereby further authorized to deduct any deficiencies or credit any overpayments regarding this application from the same account.


Steven R. Sprinkle
Reg. No. 40,825

1/13/09
Dated